

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

_____)	
Dynamic Network Systems, Inc.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 06-cv-37-M
)	
Timothy Wilde,)	
)	
Defendant)	
_____)	

MOTION TO AMEND COMPLAINT

NOW COMES the Plaintiff Dynamic Network Services, Inc., by and through its attorneys, Sheehan Phinney Bass + Green, Professional Association, and respectfully moves, pursuant to Rule 15(a) of the Federal Rules of Civil Procedure to Amend its initial Complaint and file its First Amended Complaint, which is annexed hereto as Exhibit 1. In support of its Motion to Amend, the Plaintiff states as follows:

1. This Motion relates to an amendment “as of right,” pursuant to Federal Rule 15(a) because the Defendant has yet to file any responsive pleading.
2. The Plaintiff’s Amended Complaint simply excises certain information and allegations of fact that may be encompassed within the scope of a confidentiality stipulation in an agreement between the Plaintiff and a third party. Specifically, the third sentence of Paragraph 18 of the initial Complaint has been excised; no other change has been made.
3. Accordingly, the Plaintiff requests that the Court grant this Motion to Amend as of right in accordance with Rule 15(a).

4. Counsel has not yet appeared for the Defendant, and this amendment is sought prior to any responsive pleading. The Plaintiff believes, therefore, that Local Rule 7 as it relates to seeking opposing counsel's assent does not apply, and that no memorandum of law or citation to authority other than Federal Rule 15(a) is required.

WHEREFORE, the Plaintiff respectfully requests that this Court:

- A. Grant its Motion to Amend Complaint pursuant to Rule 15(a) of the Federal Rules of Civil Procedure; and
- B. Grant such other and further relief as the Court deems necessary and just.

Respectfully submitted,

DYNAMIC NETWORK SERVICES, INC.

By Its Attorneys,

SHEEHAN PHINNEY BASS & GREEN,
PROFESSIONAL ASSOCIATION

Dated: March 15, 2006

By: /s/ Christopher Cole
Christopher Cole, NH Bar No. 8725
John-Mark Turner, NH Bar No. 15610
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the within Motion to Amend Complaint was this day mailed conventionally by U.S. regular mail to the Defendant Timothy Wilde at this last know address of Timothy Wilde, 1175 Lake Boulevard, No. 105, Davis, CA 95616.

Dated: March 15, 2006

By: /s/ Christopher Cole
Christopher Cole, NH Bar No. 8725